

## UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

United States of America

v.

KIMBERLY MAINE

Case No. 3:23-mj-00058

*Defendant(s)*

## CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 6/16/22 & 7/21/22 in the county of Montgom./Greene/Muskingum in the  
Southern District of Ohio, the defendant(s) violated:

*Code Section*

18 USC s. 1344

*Offense Description*

bank fraud and attempted bank fraud against Wright-Patt Credit Union in Montgomery and Greene Counties on June 16, 2022

18 U.S.C. s. 1344

attempted bank fraud against Community Bank in Muskingum County on July 21, 2022

18 USC s. 1028A

aggravated identity theft in connection with bank fraud and attempted bank on June 16, 2022 and July 21, 2022

This criminal complaint is based on these facts:

See Attached Affidavit of Robert McGuire

☒ Continued on the attached sheet.*Robert McGuire**Complainant's signature*

Robert McGuire, SA of the FBI

*Printed name and title*

Sworn to by reliable electronic means -- namely, telephone.

Date: February 17, 2023City and state: Dayton, Ohio

*Caroline H. Gentry*  
 Caroline H. Gentry  
 United States Magistrate Judge



**AFFIDAVIT IN SUPPORT OF APPLICATION**

I, Robert McGuire, hereby duly sworn, declare and state:

**INTRODUCTION**

1. I am a Special Agent (“SA”) with Federal Bureau of Investigation (“FBI”) and have been so employed since November 2004. I am currently assigned to the Cincinnati Division, Dayton Resident Agency. As such, I am charged with investigating crimes against the United States of America, including but not limited to violations of Title 18 and Title 21 of the United States Code (U.S.C.). I have received training in organized crime, fraud, and drug trafficking investigations. I have participated in various investigative aspects concerning these crimes, including conducting surveillance, executing search and arrest warrants, as well as interviewing individuals who have participated in these types of illegal activity. Based on this experience, I have an understanding concerning the manner in which individuals execute fraud schemes against individuals as well as financial institutions.

**PURPOSE OF AFFIDAVIT**

2. I make this affidavit in support of an arrest warrant for, and a criminal complaint against, KIMBERLY MAINE (“MAINE”) for violations of:

- a. Title 18, United States Code, § 1344 (bank fraud and attempted bank fraud against Wright-Patt Credit Union);
- b. Title 18, United States Code, § 1344 (attempted bank fraud against Community Bank);
- c. Title 18, United States Code, § 1028(A) (aggravated identity theft in connection with bank fraud and attempted bank fraud).

3. I have not included every detail of the investigation, but only information necessary to establish probable cause to issue the above-requested criminal complaint and arrest warrant. The information detailed in this affidavit comes from my conversations with other law enforcement officers, the review of police reports and investigative records, as well as information from various financial institutions, including surveillance videos and bank records.

### **PROBABLE CAUSE**

#### **A. Summary of the Fraud Scheme**

4. Based on information from publicly available sources and conversations with various bank officials, I know that Fifth Third Bank, National Association (“Fifth Third Bank”), Wright-Patt Credit Union, Inc. (“WPCU”), and Community Bank are financial institutions that operate branches in various cities and towns throughout southern Ohio. The Federal Deposit Insurance Corporation (“FDIC”) insures the deposits of both Fifth Third Bank and Community Bank. The National Credit Union Administration administers the National Credit Union Share Insurance Fund, which insures the deposits of WPCU.

5. Based on a review of police reports, discussions with other law enforcement officers, and a review of various bank records – including surveillance videos – I learned that Kimberly MAINE executed and attempted to execute a bank fraud scheme that generally operated as follows:

a. Moving from state to state primarily in the eastern portions of this country, MAINE and other unknown individuals unlawfully obtained from other people financial information (such as bank account numbers, debit cards, and checkbooks) as well as other personal identifying documents (including driver licenses and other forms of identification). MAINE or her associates often improperly acquired these financial and identification documents

through theft, stealing purses, checkbooks, as well as wallets from unattended cars in the parking lots of public parks or private businesses. MAINE and her accomplices then shared this personal identifying information with each other.

b. Posing as an individual other than herself, MAINE then used this stolen financial and personal information to fraudulently cash stolen checks at financial institutions throughout the country. In doing so, MAINE fraudulently misrepresented to the financial institution that she was the bona fide payee on the stolen checks. To deceive the financial institution and to provide false credibility to her claim, MAINE often presented with the check a stolen or false identification document that intentionally misrepresented her identity to the bank or credit union. In making these false and fraudulent representations, MAINE knew that the financial institutions expected her to provide honest and correct information concerning her identity and the nature of the checks that she sought to cash or deposit with them.

c. To prevent the financial institutions from detecting her scheme and to avoid apprehension by law enforcement, MAINE took additional affirmative actions to conceal her actual identity. For instance, when conducting fraudulent transactions at financial institutions, MAINE frequently attempted to alter her appearance by wearing sunglasses as well as wigs. Additionally, when parking at financial institutions or using their drive thru services, MAINE often affixed to her car stolen license plates so that, if her vehicle was captured on surveillance cameras, the financial institution as well as law enforcement would not learn who she was. Moreover, after saturating an area with stolen checks, MAINE would relocate her illegal activity to another jurisdiction and, in this manner, her scheme spanned Ohio, Maine, Virginia, New York, Minnesota, and Wisconsin.

d. Through her scheme, MAINE cashed or attempted to hundreds of thousands of dollars in fraudulent checks with financial institutions throughout the country.

B. Through Fingerprint Evidence and Photo Comparisons, Law Enforcement Identify MAINE in a Fraudulent Check Cashing Scheme

6. I received police reports from, and had conversations with, local authorities in the Commonwealth of Virginia concerning an incident of bank fraud involving MAINE that occurred in Richmond, Virginia during April 2022. Specifically:

a. In or around April 2022, a woman identified herein by the initials S.R. (hereinafter “Victim 1”) had stolen from her in Charlottesville, Virginia, her passport, driver license, and social security card. Law enforcement was unable to identify the person who stole Victim 1’s personal identifying information from her vehicle.

b. During mid-April 2022, falsely identifying herself as Victim 1, a woman (later confirmed as MAINE) arrived at a series of Atlantic Union Bank branches in Richmond, Virginia. Displaying Victim 1’s identification, MAINE presented at each branch a check made payable to Victim 1 drawn on stolen checks. (Notably, the checks had been reported stolen to law enforcement.) Based on MAINE’s false representations concerning her identity, the bank in Virginia cashed the checks and provided thousands of dollars in cash to MAINE.

c. Soon realizing that the checks were stolen and the payee on them fraudulent, Atlantic Union Bank contacted local police and transferred the checks to them. Local authorities recovered a fingerprint from one of the checks, and law enforcement databases indicated that the print belonged to MAINE. Police also reviewed videos from the fraudulent transactions at the bank. Comparing these images with known photographs of MAINE, law enforcement confirmed that MAINE was the woman who falsely represented herself as Victim 1 during the transactions in Richmond, Virginia.

C. Using Stolen Identifications and Checks, MAINE Defrauds and Attempts to Defraud Several Financial Institutions in southern Ohio

7. On or about May 21, 2022, a series of thefts occurred from vehicles parked at public lots in Miami Township, Ohio, and Miamisburg, Ohio. During these incidents, an unknown individual stole from separate vehicles the purses and personal identifying documents (including driver licenses and debits cards) of three women identified herein by the initials L.V.D. (hereinafter “Victim 2”), T.S. (hereinafter “Victim 3”), and B.L. (hereinafter “Victim 4”). The women reported each of these incidents to local police.

8. On or about May 22, 2022, in Harrison, Ohio (which is in Hamilton County within the Southern District of Ohio), an unknown individual broke into the car of a woman identified herein by the initials M.C. (hereinafter “Victim 5”) and stole from her a checkbook, wallet, driver license and credit cards.

9. Between on or about June 6, 2022, and June 7, 2022, posing as Victim 5, a woman driving a black Chevy Equinox cashed over a dozen stolen checks totaling approximately \$30,000 at Fifth Third Branches in southern Ohio and northern Kentucky. The driver of the Equinox presented Victim 5’s stolen identification during each fraudulent transaction. Each of the checks had been made payable to Victim 5 from a checkbook belonging to an individual identified herein by the initials T.D. (hereinafter, “Victim 6”). Victim 6 had reported his checkbook stolen to local authorities around the time of these incidents. Notably, while capturing the Equinox and its female driver who presented the fraudulent checks, the surveillance video was not sufficiently clear to identify MAINE in still photographs. However, as detailed below, days later, law enforcement identified MAINE driving a similar Equinox engaging in identical illegal conduct using personal identifying information from Victim 5.

10. Several days later -- on or about June 16, 2022 -- posing as Victim 4, a woman (later confirmed as MAINE as detailed below) visited a series of WPCU branches in Beavercreek, Kettering, Huber Heights, and Norwood, Ohio.

a. At each of these locations, MAINE presented to WPCU a stolen check made payable to Victim 4 drawn on the account of Victim 5. During the transactions, MAINE presented to WPCU the stolen identification of Victim 4. At three of the four branches, WPCU cashed the stolen checks, and provided to MAINE several thousand dollars in cash.

b. At the fourth WPCU branch, MAINE presented a stolen check from Victim 5's bank account in the amount of \$3,340.00 made payable to Victim 4. MAINE also provided to the WPCU teller Victim 4's driver license. Suspicious that MAINE did not match closely enough the driver license photo of Victim 4, the teller refused to cash the check. When MAINE demanded the return of the driver license and the teller refused, MAINE sped from the drive thru of the WPCU branch.

c. Law enforcement obtained surveillance video from WPCU concerning each of the fraudulent transactions -- including MAINE's aborted attempt to cash a fourth check made payable to Victim 4. Having reviewed these videos, the woman attempting to cash the fraudulent checks was the same woman depicted in known and confirmed footage of MAINE from the Virginia check-cashing incident described above. It should be noted that, during the WPCU incidents, MAINE visibly was wearing a blonde wig to match the appearance of Victim 4, who in her driver license photograph had blonde hair. The surveillance video also captured MAINE's vehicle during the transaction -- a black Chevy Equinox bearing a Kentucky license plate of 376 VHW. Notably, this plate had been reported stolen in the Commonwealth of Kentucky.

d. Law enforcement has spoken with Victim 4 and Victim 5. Victim 4 confirmed that she did not cash or attempt to cash any checks from Victim 5 at WPCU on June 16, 2022. Victim 5 confirmed that each of the checks presented to WPCU had been stolen from her and that she did not write any checks to Victim 4.

11. On or about July 15, 2022, an unknown individual broke into a vehicle in Perrysburg, Ohio, and stole from it credit cards and identification documents belonging to an individual identified herein by the initials C.S. (hereinafter “Victim 7”). The next day – on or about July 16, 2022, at a park in Zanesville, Ohio, an unknown individual broke into the car of a woman identified herein by the initials M.F. (hereinafter “Victim 8”) and stole Victim 8’s Community Bank Debit Card, driver license and social security card.

12. Over the next several days, a woman (confirmed as MAINE as detailed below) proceeded to cash and attempt to cash throughout northern and southern Ohio a series of stolen checks using identification documents from Victims 7 and 8. For instance:

a. On or about July 19, 2022, in northern Ohio, MAINE fraudulently cashed stolen checks totaling over \$6,000 at two different credit unions in Perrysburg and Sylvania, Ohio, respectively. While both checks were drawn on the account of Victim 8, one was made payable to Victim 7 while the other was written to another individual. Surveillance video from both credit unions captured the woman passing the fraudulent checks, and the images from those transaction were of MAINE. As captured in the videos, MAINE was driving a Toyota Camry. MAINE completed a similar transaction involving a stolen check drawn on Victim 8’s account at a credit union in Lima, Ohio. Again, surveillance cameras captured the transaction, and stills from the incident depict MAINE and her Camry.



b. On or about July 21, 2022, in Zanesville, Ohio (which is in the Southern District of Ohio), MAINE attempted to cash a stolen check made payable to Victim 8 at Community Bank. During this incident, MAINE presented to a drive thru teller a stolen check for \$3,800 written to Victim 8. Concerned over suspicious aspects of the check, including that it lacked a payee signature, the teller began to question the draft. Before the transaction was completed, MAINE fled from the bank, leaving behind the stolen check. Once more, surveillance video from the financial institution captured MAINE performing the fraudulent transaction while driving the Camry which bore stolen license plates.

c. In a further effort to confirm MAINE's identity, local police obtained a warrant to collect location information from cell towers near each of the financial institutions in Perrysburg, Sylvania, Lima, and Zanesville where fraudulent transactions had occurred. Based on the return information from these warrants, local police discovered two common telephone numbers that had been present at each of these locations at the time of the fraudulent transactions. Based on their presence during each incident, law enforcement believed that the phone numbers belonged to one or more individuals involved in the fraudulent check cashing scheme. Through various legal process – including subpoenas and search warrants – local police learned that one of the phones was subscribed to in the name of “Summer Storm” and linked to an iCloud account in a similar name. Upon executing a search warrant on the iCloud account, officers discovered information – including photographs of MAINE, some of which depicted her wearing wigs – that identified the account as hers. Based on the totality of this information, I believe that one of the phones at the fraudulent transactions occurring in Perrysburg, Sylvania, Lima, and Zanesville belonged to MAINE, further confirming her identity as the individual attempting to pass the stolen checks.

D. Police in the State of Maine Apprehend MAINE in Possession of Stolen Identification Documents and Wigs Following her Efforts to Pass a Stolen Check There

13. On or about February 1, 2023, police in Blackstone, Maine, received a report of a female (confirmed as MAINE as detailed below), attempting to cash a stolen check at the drive thru lane a UniBank. Given that this same individual had passed \$9,000 in stolen checks at other Unibank locations, the financial institution notified local police, who, using police cars, boxed MAINE in the drive thru lane. Police arrested MAINE, who was wearing a wig to disguise her identity. The SUV which she was driving bore plates stolen from Rhode Island. A subsequent search of the SUV revealed MAINE in possession of identification documents, such as driver licenses and a social security card of other people. The vehicle also contained roughly \$9,000 in cash, over a dozen wigs, multiple hats, and sets of different colored contacts – all items MAINE used to conceal her identity when cashing stolen checks. While this incident occurred outside the Southern District of Ohio, it further confirms MAINE's identity and modus operandi during incidents here.

14. Based on a review of police reports, bank records, and conversations with law enforcement throughout the country, the FBI estimates that MAINE fraudulently has cashed or attempted to cash approximately \$230,000 in stolen checks throughout the United States.

*Robert McGuire*

Robert McGuire  
Special Agent  
Federal Bureau of Investigation

By reliable electronic means (telephone)  
Sworn and subscribed before me on this  
17th day of February, 2023.

  
Caroline H. Gentry  
United States Magistrate Judge

